(5)

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

Division Bench

MISCELLANEOUS APPEAL NO.- 927 **OF 2005**

(MEMORANDUM OF APPEAL U/S 173 OF THE MOTOR VEHICLES ACT, 1988)

APPELLANTS
CLAIMANTS

1. Smt. Meean Devi Pal W/o Late Rajesh Kumar Pal, aged about 27 years,
2. Rishabh Pal S/o Late Late Rajesh Kumar Pal , aged about 04 years (Minor)
3. Ku. Kalash Pal D/o Late Rajesh Kumar Pal, aged about 02 years (Minor)
4. Bhupendra Pal S/o Late Rajesh Kumar Pal, aged about 04 month. (Minor)
5. Smt. Basharin Bai W/o Ramsai Pal, aged about 56 years, Occupation -Housewife
6. Ramsai Pal S/o Late Jagat Ram Pal aged about 60 years, Occupation- Labour

[Appellant No. 2 to 4 being minor, on behalf of through them legal - Guardian mother the appellant No.1]

All Resident of – Rajiv Nagar, Mohba Bajar, Raipur, Tahsil & District –Raipur (C.G.)

P.R. No. 19 e&l/c 5
Presented by Shri S Bandyopadhyay
dated 27/12/05

VERSUS

RESPONDENTS
NON-CLAIMANTS

1. Harbhajan Singh S/o Jogendra Singh, aged about 30 years, Occupation – Truck Driver, Resident of- Barsi, Pathana, **Fatehgarh Sahab (Punjab)**

Present R/o- Simaran Road Carrier, Pipaliya Rao Chowk, Ring Road, Police Station – Samarkusha, (Indore) Tahsil & District – Indore (M.P.)

(Driver of Truck bearing registration No. M.P.-09/KC/6882)

2. Talvinder Singh S/o Harvansh Singh Sardar, R/o- Ranibagh, Khandwa Road, Indore, Tahsil & District- Indore (M.P.)

(Owner of Truck bearing registration No. M.P.-09/KC/6882)

3. The National Insurance Company Limited (Divisional Office No. 1 Indore) Through Divisional Manager, Divisional Office, G.E. Road, Raipur, District – Raipur (C.G)

(Insurer of Truck bearing registration No. M.P.-09/KC/6882)

4. The National Insurance Company Limited (Divisional Office No.1 Raipur) Through Divisional Manager, Divisional Office, G.E. Road, Raipur, District – Raipur (C.G)

(Insurer of vehicle bearing registration No. C.G. 04/G-3258)

5. Mahesh Kumar Sharma S/o Rameshwar Prasad Sharma, R/o- E-551 , Rukhmani Sadan, Samta Colony , Raipur, Tahsil & District- Raipur (C.G.)

(Owner of vehicle bearing registration No. C.G. 04/G-3258)

MEMORANDUM OF APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLES ACT, 1988

(20)

LOK ADALAT

Chhattisgarh High Court Campus, Bilaspur

Case No. MA - 927 of 2005

Appellant Smt. Meena Devi Pal & others.

Versus

Respondent Harbhajan Singh & others.

Appellant with / by Shri Shivendu Pandya **Advocate**
No. 3 to 9

Respondent with / by Shri Sudarshan Das, **Advocate**
Asstt. Manager, National Insurance Co. Ltd. alongwith Shri Raj Awasthi - Advocate. None for other Respondents.

AWARD

(Passed on 7-5-2006 **)**

Parties file a compromise petition. The terms are just. We hereby record the compromise and pass an award in terms of compromise, and order that ~~appellant~~ / respondent-National Insurance Company (No. 3 & 4) shall pay to ~~respondent~~ / appellant a sum of Rs. 1,55,000/- (One Lakh Fifty Five Thousand Only). by way of compensation ~~together with interest @ _____ % per annum from _____ to _____~~ in addition to the amount already paid / awarded by the Claims Tribunal the order of apportionment, if any, shall be followed. Since the amount is being enhanced, the compromise is not against the interest of the minors.

Sd/-
Member - Lok Adalat
High Court of Chhattisgarh
BILASPUR
7/5/2006

Sd/-
Sunil Kumar Sinha
Judge

Member - Lok Adalat
High Court of Chhattisgarh
BILASPUR